



COMMUNITY DEVELOPMENT DEPARTMENT

17555 Peak Avenue Morgan Hill CA 95037 (408) 779-7247 Fax (408) 779-7236
Website Address: www.morgan-hill.ca.gov

PLANNING COMMISSION

TUESDAY, JULY 9, 2002

**CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA**

COMMISSIONERS

CHAIR GENO ACEVEDO
VICE-CHAIR JOSEPH MUELLER
COMMISSIONER ROBERT J. BENICH
COMMISSIONER ROBERT ENGLES
COMMISSIONER ROBERT L. ESCOBAR
COMMISSIONER RALPH LYLE
COMMISSIONER CHARLES D. WESTON

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes.*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

CONSENT CALENDAR:

1. **EXTENSION OF TIME, EOT-02-04/USE PERMIT, UP-01-02: KEYSTONE-MARTIN:** A request for an extension of time on a conditional use permit for a mixed use located at 20 Keystone Ave in the CC-R, Central Commercial Residential zoning district. (APN 764-16-017)

Recommendation: Adopt Resolution No. 02-56.

NEW BUSINESS:

2. **DEVELOPMENT AGREEMENT AMENDMENT DAA-01-04: CENTRAL-CENTRAL PARK:** A request to amend the development agreement for three of fifteen building allocations for an eighteen-lot subdivision of 11.51 acres located on the north side of Central Ave, south of the Morgan Hill Business Park. The amendment request would extend three building allocation from June 30, 2002, to August 30, 2002. (APN 726-27-037)

Recommendation: Adopt Resolution No. 02-57, with recommendation to forward to City Council for approval.

3. **DEVELOPMENT AGREEMENT AMENDMENT DAA-01-07: COCHRANE-MISSION VIEW:** A request to amend the development agreement for Phases V & VI of the Mission Ranch project to include the 4 building allocations received as part of the City's 2001 Residential Development Control System. The Mission Ranch project is located on the south east corner of the intersection of Cochrane Rd. and Mission View Dr. (APNs 728-32-001, 002, & 003 and 728-33-001)

Recommendation: Adopt Resolution No. 02-58, with recommendation to forward to City Council for approval.

4. **DEVELOPMENT AGREEMENT AMENDMENT, DAA-00-12: E. DUNNE-GREWAL:** A request to amend the development agreement for a four-lot subdivision of a 1.6 acre parcel located on the north east corner of the intersection of Hill Rd and E. Dunne Ave. The amendment request would extend the four building allocations for nine months to March 30, 2003. (APN 728-11-026)

Recommendation: Adopt Resolution No. 02-59, with recommendation to forward to City Council for approval.

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5. **ZONING AMENDMENT, ZA-01-23: COCHRANE-IN-N-OUT BURGER:** A request for approval to amend the precise development plan for the planned unit development located at the northwest quadrant of Cochrane Rd. and Hwy 101 to allow for an approximate 3,250 sf drive-thru restaurant. The subject site was originally approved for a 6,300 sf sit-down restaurant. (APN 726-33-023)

Recommendation: Adopt Resolution No. 02-60, recommending City Council denial of the zoning amendment.

OTHER BUSINESS:

6. **SCHEDULING OF SUMMER MEETINGS:**

Recommendation: Discussion

TENTATIVE UPCOMING AGENDA ITEM FOR THE JULY 23, 2002 MEETING:

ANNOUNCEMENTS:

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE
AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

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If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

***NOTICE IS GIVEN** pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

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